No. 107

MICHIGAN SENATE

DAILY CALENDAR

TUESDAY, DECEMBER 30, 2003 11:30 a.m.

| MESSAGES FROM THE GOVERNOR | | | MESSAGES FROM THE GOVERNOR | | | | |
|----------------------------|---|----|--|--|--|--|--|
| SB | 195 Sen. Toy Local government; public services; certain city managed water and sewer systems; provide for regionalization of. Creates new act. Vetoed by Governor, Friday, March 21. For text of veto message, see Senate Journal No. 30, page 341. Veto pending. | | 540 Sen. Johnson Appropriations; supplemental; supplemental appropriations; provide for. Creates new act & repeals sec. 308 of 2003 PA 161. Approved by Governor, with line items vetoed, Tuesday, August 12. For text of veto message, see Senate Journal No. 72 page 1614. Vetoed line items pending. | | | | |
| SB | School aid; penalties; requirement of 180 days of pupil instruction and penalty for holding less than that number; eliminate and replace with minimum hours of instruction, and require certain procedures to change to 4-day school week. Amends sec. 101 of 1979 PA 94 (MCL 388.1701). Vetoed by Governor, Monday, June 30. For text of veto message, see Senate Journal No. 65, page 1110. Veto pending. | SB | Appropriations; other; family independence agency; provide for fiscal year 2003-2004. Creates new act & repeals sec. 413 of 2002 PA 529. Approved by Governor with line items vetoed, Tuesday, August 12. For text of veto message, see Senate Journal No. 72, page 1615. Vetoed line items pending. | | | | |
| SB | 293 Sen. Bishop Law enforcement; other; public safety commissions; allow use of state radio towers by local units of government. Amends sec. 3 of 1929 PA 152 (MCL 28.283). Vetoed by Governor, Friday, July 11. For text of veto message, see Senate Journal No. 68, page 1222. Veto pending. | SB | 464 Sen. Allen Transportation; funds; Mackinac bridge authority; amend to provide toll rate cap. Amends sec. 2 of 1952 PA 214 (MCL 254.312). Vetoed by Governor, Monday, August 25. For text of veto message, see Senate Journal No. 72, page 1616. Veto pending. | | | | |
| SB | 265 Sen. Johnson Appropriations; zero budget; department of transportation; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Tuesday, August 12. For text of veto message, see Senate Journal No. 71, page 1587. Vetoed line items pending. | SB | 466 Sen. Barcia Transportation; motor fuel tax; advancements to Mackinac bridge authority; amend. Amends sec. 163 of 2000 PA 403 (MCL 207.1163). Vetoed by Governor, Monday, August 25. For text of veto message, see Senate Journal No. 72. page 1616. Veto pending. | | | | |
| SB | 288 Sen. Johnson Appropriations; zero budget; department of agriculture; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Thursday, August 7. For text of veto message, see Senate Journal No. 71, page 1588. | SB | 395 Sen. McManus Health; abortion; definition of legal birth; clarify. Creates new act. Vetoed by Governor, Friday, October 10. For text of veto message, see Senate Journal No. 84, page 1835. | | | | |

Veto pending.

Vetoed line items pending.

MESSAGES FROM THE GOVERNOR

— 11 ———

SB 687 Sen. Bishop

Counties; employees and officers; procedures for the vacancy in a county executive office; clarify.

Amends secs. 9 & 10 of 1973 PA 139 (MCL 45.559 & 45.560) & adds sec. 9a.

Vetoed by Governor, Tuesday, December 2.

For text of veto message, see Senate Journal No. 99, page 2114.

Veto pending.

MESSAGES FROM THE HOUSE

____ 12 _____

SB 506 Sen. Patterson

Environmental protection; landfills; out-of-state or outof-country waste; prohibit unless prohibited waste has been removed or the other state or province has solid waste stream standards as stringent as Michigan's.

Amends sec. 11507a of 1994 PA 451 (MCL 324.11507a) & adds sec. 11513a.

I.E. House, November 13, 2003.

Returned from House with House substitute (H-2), Thursday, November 13; laid over under the rules.

Committee recommended I.E.

— 13 ———

SB 557 Sen. Brater

Environmental protection; landfills; construction permits; provide for department to issue based upon capacity need.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11511a.

I.E. House, November 13, 2003.

Returned from House with amendment, Thursday, November 13; laid over under the rules.

For House amendment, see Senate Journal No. 97, page 2065.

Committee recommended I.E.

____ 14 _____

SB 806 Sen. George

Environmental protection; cleanups; transfer of certain clean Michigan initiative brownfield cleanup revenue into the brownfield revitalization loan fund; provide for.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 19608a.

I.E. House, November 13, 2003.

Returned from House with amendments, Thursday, November 13; laid over under the rules.

For House amendments, see Senate Journal No. 97, page 2066.

Committee recommended I.E.

MESSAGES FROM THE HOUSE

____ 15 _____

SB 502 Sen. Cassis

Environmental protection; solid waste; importing solid waste; provide for regulation.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11513a.

I.E. House, December 10, 2003.

Returned from House with House substitute (H-2), Thursday, December 11; laid over under the rules.

Committee recommended I.E.

GENERAL ORDERS

----- 16 ------

HB 4804 Rep. Shulman

State; funds; budget stabilization fund expenditures; modify.

Amends secs. 353c, 353e & 358 of 1984 PA 431 (MCL 18.1353c et seq.).

I.E. House, June 19, 2003.

For House amendment, see House Journal No. 54, page 924.

Reported by Committee on Appropriations.

Senate substitute (S-2).

Committee recommended I.E.

_____ 17 _____

SB 158 Sen. Patterson

Civil procedure; costs and fees; statutory attorney fees in landlord-tenant eviction and land contract forfeiture actions; revise.

Amends sec. 5759 of 1961 PA 236 (MCL 600.5759).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 80, page 1742.

Committee recommended I.E.

----- 18 ------

SB 479 Sen. Basham

Transportation; school vehicles; local school district authority to determine location and number of school bus stops within a manufactured housing park; allow.

Amends sec. 9 of 1990 PA 187 (MCL 257.1809).

Reported by Committee on Education.

Committee recommended I.E.

- 19 ------

HJR G Rep. Garfield

State; employees and officers; hiring for civil service position; provide preferential treatment to veterans.

Amends sec. 5, art. XI of the state constitution.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs.

DECEMBER 30, 2003 GENERAL ORDERS _____ 20 _____ **SB** 774 Sen. Bernero Economic development; local development financing; certified technology parks; revise deadline for designation. Amends sec. 21a of 1986 PA 281 (MCL 125.2162a). Reported by Committee on Economic Development, Small Business and Regulatory Reform. Committee recommended I.E. 296 Sen. Gilbert Insurance; health; direct reimbursement to provider of medical transportation services; provide for. Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406l. Reported by Committee on Health Policy. Senate substitute (S-3). Committee recommended I.E. ____ 22 ____ SB 297 Sen. Gilbert Insurance; health care corporations; direct reimbursement to provider of medical transportation services; provide for. Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 418a. Reported by Committee on Health Policy. Senate substitute (S-2). Committee recommended I.E. — 23 ——— **HB 4478** Rep. O'Neil Family law; parental rights; parental advocate; allow. Amends secs. 3 & 4 of 1990 PA 211 (MCL 722.903 & 722.904). I.E. House, June 24, 2003. For House amendments, see House Journal No. 55, Reported by Committee on Families and Human Services. Senate substitute (S-2). Committee recommended I.E. 823 Sen. Cropsey SB Courts; judges; various circuit, probate, and district

judgeships; revise.

Amends secs. 504, 517, 518, 542, 549g, 803, 810a, 8117, 8142, 8162 & 8163 of 1961 PA 236 (MCL 600.504 et seq.).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

SB 829 Sen. Sanborn

Courts; circuit court; sixteenth judicial circuit; allow additional judgeship.

____ 25 _____

Amends sec. 517 of 1961 PA 236 (MCL 600.517).

Reported by Committee on Judiciary. Committee recommended I.E.

GENERAL ORDERS

— 26 ———

SB 846 Sen. Cassis

Economic development; downtown development authorities; definition of other protected obligations; revise.

Amends sec. 1 of 1975 PA 197 (MCL 125.1651).

Reported by Committee on Finance.

Committee recommended I.E.

— 27 ————

HB 4458 Rep. Rocca

Liquor; other; discount on liquor to licensees; increase. Amends sec. 122 of 1998 PA 58 (MCL 436.1233).

I.E. House, October 29, 2003.

House substitute (H-2).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

____ 28 _____

HB 4508 Rep. McConico

Education; board members; 5-year waiting period for ballot proposal regarding the retention of the appointed reform board; eliminate and place on August 2003 primary election ballot in a qualifying district.

Amends sec. 375 of 1976 PA 451 (MCL 380.375).

I.E. House, December 3, 2003.

House substitute (H-7).

Reported by Committee on Education.

Committee recommended I.E.

— 29 **–**

SB 532 Sen. Van Woerkom

Environmental protection; litter; illegal dumping informant program; create.

Amends sec. 8901 of 1994 PA 451 (MCL 324.8901) & adds secs. 8905d & 8905e.

Reported by Committee on Natural Resources and **Environmental Affairs.**

Senate substitute (S-2).

Committee recommended I.E.

SB 533 Sen. Van Woerkom

Environmental protection; litter; civil infraction fines; direct portion of to reward fund.

Amends sec. 8831 of 1961 PA 236 (MCL 600.8831).

Reported by Committee on Natural Resources and **Environmental Affairs.**

Committee recommended I.E.

____ 31 _____

SB 653 Sen. Leland

Environmental protection; funding; sunset on the baseline environmental assessment fee; extend.

Amends sec. 20129a of 1994 PA 451 (MCL 324.20129a).

Reported by Committee on Natural Resources and **Environmental Affairs.**

Committee recommended I.E.

____ 32 _____

SB 853 Sen. Brown

Environmental protection; litter; volunteers under adopta-river program to report nature and amount of litter collected; provide for.

Amends sec. 35903 of 1994 PA 451 (MCL 324.35903).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

SB 854 Sen. Birkholz

Environmental protection; recycling; office of the statewide recycling coordinator; establish in statute.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 174.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

____ 34 _____

SB 855 Sen. Basham

Environmental protection; litter; volunteers under adopta-shoreline program to report nature and amount of litter collected; provide for.

Amends sec. 35803 of 1994 PA 451 (MCL 324.35803).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

____ 35 _____

SB 856 Sen. Cropsey

Environmental protection; recycling; comprehensive study of state's litter problem and marketing program to reduce littering; create.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 8911, 8913 & 8915.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

____ 36 _____

SB 857 Sen. Bishop

Environmental protection; litter; use of data compiled by adopt-a-trail program; provide for.

Amends sec. 72105a of 1994 PA 451 (MCL 324.72105a).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

SB 858 Sen. Gilbert

Environmental protection; litter; use of data acquired by adopt-a-park program regarding litter problem in Michigan; provide for.

Amends sec. 74104 of 1994 PA 451 (MCL 324.74104).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

____ 38 _____

SB 860 Sen. Kuipers

Environmental protection; litter; department of environmental quality to maintain toll-free hotline for reporting littering; require.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 8905f.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

____ 39 _____

SB 861 Sen. Patterson

Environmental protection; recycling; statewide goals for recycling rates; create.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 17305.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

SB 432 Sen. Hammerstrom

Elections; other; provisions governing training election officials, names on ballots, challenging certain electors, rejected ballots, stray marks on ballots, and canvassing certain elections; revise and enact additional misdemeanors.

Amends secs. 31, 73, 283, 393, 509t, 509y, 509aa, 561a, 624, 624a, 686, 727, 745, 761, 769, 797a, 798c, 799a, 803, 842 & 931 of 1954 PA 116 (MCL 168.31 et seq.) & repeals sec. 509 of 1954 PA 116 (MCL 168.509).

Reported by Committee on Government Operations. Senate substitute (S-2).

SB 350 Sen. Brown

Elections; ballots; printed instructions on ballots, voting devices, and placards clarifying assistance available from election officials; require.

Amends secs. 560, 666, 706 & 777 of 1954 PA 116 (MCL 168.560 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended I.E.

SB 862 Sen. Toy

Single business tax; credit; start-up business; exempt from tax for tax years in which the business does not make a profit.

Amends 1975 PA 228 (MCL 208.1 - 208.145 by adding sec. 31a

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

____ 43 _____

SB 863 Sen. Hardiman

Income tax; exemptions; start-up business; exempt from tax for tax years in which the business does not make a profit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 51f.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

SB 864 Sen. George

Property tax; exemptions; start-up businesses; exempt from taxes for 5 years.

Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding sec. 7gg.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

SB 727 Sen. Sanborn

Children; parenting time; grandparent visitation; revise to place burden of proof on the petitioning grandparent and require the court to give deference to a fit parent's actions and decisions.

Amends secs. 2 & 7b of 1970 PA 91 (MCL 722.22 & 722.27b).

Reported by Committee on Senior Citizens and Veterans Affairs.

Senate substitute (S-2).

Committee recommended I.E.

SB 109 Sen. Garcia

State agencies (existing); other; department of career development; codify transfer of office of Spanish-speaking affairs

Amends secs. 2 & 4 of 1975 PA 164 (MCL 18.302 & 18.304)

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

— 47 ———

SB 564 Sen. Bernero

State; purchasing; state contracts; require certain percentage to be awarded to businesses owned by persons with disabilities.

Amends title & sec. 3 of 1988 PA 112 (MCL 450.793).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

SB 565 Sen. Bernero

State; purchasing; state contracts that cross-reference in management and budget act; require that certain percentage be awarded to businesses owned by persons with disabilities.

Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 297a.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

—— 49 **——**

SB 625 Sen. Cassis

Higher education; tuition; part-time independent student grants; revise to allow students in theology or divinity programs to receive grant money.

Amends sec. 3 of 1986 PA 102 (MCL 390.1283).

Reported by Committee on Education.

Committee recommended I.E.

— 50 **—**

SB 626 Sen. Van Woerkom

Higher education; tuition; state competitive scholarships; revise to allow students in theology, divinity, or religious programs to receive scholarship money.

Amends sec. 7 of 1964 PA 208 (MCL 390.977).

Reported by Committee on Education.

Committee recommended I.E.

_____ 51 _____

SB 627 Sen. Allen

Higher education; tuition; legislative merit award program; revise to allow students in theology, divinity, or religious programs to receive scholarship money.

Amends sec. 4 of 1976 PA 228 (MCL 390.1304).

Reported by Committee on Education.

Committee recommended I.E.

— 52 ———

SB 628 Sen. Clark-Coleman

Higher education; tuition; Michigan educational opportunity grant program; revise to allow students in theology, divinity, or religious programs to receive grant money.

Amends sec. 3 of 1986 PA 273 (MCL 390.1403).

Reported by Committee on Education.
Committee recommended I.E.

— 53 ——

SB 629 Sen. Kuipers

Higher education; tuition; tuition grants; revise to allow students in theology, divinity, or religious programs to receive grant money.

Amends sec. 4 of 1966 PA 313 (MCL 390.994).

Reported by Committee on Education.

Committee recommended I.E.

____ 54 ____

SB 661 Sen. Allen

Higher education; tuition; tuition differential grants; revise to allow students in theology, divinity, or religious programs to receive tuition grant.

Amends sec. 4 of 1978 PA 105 (MCL 390.1274).

Reported by Committee on Education.

Committee recommended I.E.

_____ 55 _____

SB 662 Sen. Allen

Higher education; financial aid; payments to approved independent nonprofit institutions of higher education; allow payment for theology, divinity, or religious programs and degrees.

Amends sec. 3 of 1974 PA 75 (MCL 390.1023).

Reported by Committee on Education.

Committee recommended I.E.

_____ 56 _____

SB 865 Sen. Bernero

Property tax; other; start-up businesses; exempt from tax under 1953 PA 189 for 5 years.

Amends 1953 PA 189 (MCL 211.181 - 211.182) by adding sec. 1a.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

— 57 ———

SB 867 Sen. Van Woerkom

Taxation; specific property; start-up businesses in commercial forests; exempt for a certain period of time.

Amends sec. 51105 of 1994 PA 451 (MCL 324.51105).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

SB 868 Sen. Sanborn

Economic development; enterprise zones; start-up businesses in an enterprise zone; exempt for a certain period of time.

Amends sec. 21c of 1985 PA 224 (MCL 125.2121c).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

GENERAL ORDERS

— 59 ———

SB 870 Sen. Cropsey

Economic development; obsolete property; start-up businesses; exempt for a certain period of time.

Amends sec. 10 of 2000 PA 146 (MCL 125.2790).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

— 60 **—**

SB 871 Sen. Jelinek

Economic development; enterprise zones; start-up businesses in neighborhood enterprize zone; exempt for certain period of time.

Amends sec. 9 of 1992 PA 147 (MCL 207.779).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

— 61 ———

SB 872 Sen. Patterson

Economic development; other; start-up businesses in a technology park development; exempt for a certain period of time.

Amends sec. 12 of 1984 PA 385 (MCL 207.712).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

____ 62 _____

SB 875 Sen. Gilbert

Taxation; utility users; start-up businesses; exempt from tax for tax years in which the business does not make a profit.

Amends sec. 5, ch. 1 of 1990 PA 100 (MCL 141.1155).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

____ 63 ____

SB 753 Sen. Scott

Health; blood; childhood lead poisoning prevention and control commission; create.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 5475a & repeals sec. 5474a of 1978 PA 368 (MCL 333.5474a).

Reported by Committee on Families and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

— 64 —

SB 755 Sen. Hammerstrom

Health; testing; electronic laboratory reporting of blood lead testing; require.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 20531.

Reported by Committee on Families and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

— 65 **—**

SB 756 Sen. Hardiman

Health; other; lead safe housing registry; create.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 5474a.

Reported by Committee on Families and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

SB 757 Sen. Clarke

Civil procedure; civil actions; penalties for landlords who repeatedly rent housing units without abating known lead hazards; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 5475a.

Reported by Committee on Families and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

RESOLUTIONS

- 67 -

SR 175 Sen. Barcia

A resolution urging United States trade negotiators to support our nation's sugar industry.

Reported by Committee on Agriculture, Forestry and Tourism.

For text of resolution, see Senate Journal No. 86, page 1866.

Adoption pending.

RESOLUTIONS

- 68 **--**

SR 139 Sen. Hardiman

A resolution to express support for the creation of the Office of Faith-Based Initiative in the state of Michigan.

Reported by Committee on Families and Human Services.

For text of resolution, see Senate Journal No. 71, page 1597.

Adoption pending.

COMMITTEE REPORTS

— 69 ———

SB 866 Sen. Brown

Income tax; city; start-up business; exempt from tax for tax years in which the business does not make a profit.

Amends 1964 PA 284 (MCL 141.501 - 141.787) by adding sec. 635a.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETING

Appropriations -

Subcommittee -

Higher Education, Joint Senate/House - Wednesday, January 28, 2004, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

BILLS IN CONFERENCE

| | | Confe | Report Agreed To | | |
|----------|---|----------|------------------|--------|-------|
| Bill No. | Brief Title | Senate | House | Senate | House |
| SB 252 | Environmental protection; water pollution; | McManus | Koetje | | |
| | annual wastewater discharge environmental | Birkholz | Howell | | |
| | fee; provide for. | Brater | Tobocman | | |
| SB 560 | Environmental protection; groundwater | McManus | Koetje | | |
| | contamination; groundwater discharge permit | Birkholz | Howell | | |
| | fees; enact. | Brater | Tobocman | | |